

# SIEMENS

PATENT  
Attorney Docket No. 2003P15370WOUS

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

|             |  |   |                  |             |
|-------------|--|---|------------------|-------------|
| Inventor:   | H. Bauer et al.  | ) | Confirmation No: | 3756        |
|             |  | ) |                  |             |
| Serial No.: | 10/589,929   | ) | Examiner:        | P. Wongwian |
|             |  | ) |                  |             |
| Filcd:      | August 20, 2007  | ) | Group Art Unit:  | 3741        |
| Title       | GAS TURBINE WITH A COMPRESSOR HOUSING WHICH IS PROTECTED AGAINST COOLING DOWN AND METHOD FOR OPERATING A GAS TURBINE |   |                  |             |

**Commissioner For Patents**

P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

In response to the Office Action mailed May 25, 2010, the Examiner asserts that the claims include three patentably distinct groups and requires Applicant to select for examination one of the following groups:

- Group I        Claims 9-12, and 14-17, drawn to a gas turbine, and  
Group II       Claim 13, drawn to a method for operating a gas turbine.

Applicant respectfully notes that claims 1-8 were canceled and claims 9-17 are currently presented for examination. Applicant is assuming that claims 9-12 are related to claims 1-3, claim 13 is related to 4-5, and claims 6-8 are related to 14-17.

Applicant agrees with the Examiner's determination of patentable distinctness between each of the Groups and in response elect, without traverse, to prosecute for examination purposes the patentably distinct invention specified in **Group 1, claims 9-12 and 14-17**. However, Applicant urges the Examiner to **carefully reconsider** the patentable distinctness determinations

Serial No.: **10/589,929**

Atty. Doc. No.: 2003P15370WOUS

made as set forth in MPEP 806.04(h) and 808.01(a) in regards to the impact on prior art references in future divisional applications.

Serial No.: 10/589,929  
Atty. Doc. No.: 2003P15370WOUS

Please grant any extensions of time required to enter this paper. The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including fees for additional claims and terminal disclaimer fee, or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

Dated: June 16, 2010

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